



December 31, 2024

**Via ECF**

Honorable Julie R. Rubin  
United States District Judge  
District of Maryland  
101 West Lombard Street  
Chambers 3A  
Baltimore, MD 21201

Re: ***Alford v. The NFL Player Disability & Survivor Benefit Plan,***  
**No. 1:23-cv-00358-JRR**

Dear Judge Rubin:

This letter concerns Plaintiffs' recently filed Motion to Compel Discovery (ECF No. 134) in the above-captioned action. In preparation for depositions currently scheduled for January 9 and 10, 2025, and for the in-person conference the Court scheduled for January 16, 2025 (ECF No. 138), counsel for Plaintiffs re-reviewed a number of items, including the Court's May 6, 2024 Order (ECF No. 87) scheduling the initial telephonic conference held on May 23, 2024. In the course of that review, Plaintiffs realized that page 3 of the May 6 Order sets forth specific procedures related to the presentation of discovery disputes, including a request for a pre-motion conference with the Court and the filing of discovery motions in the form of letter-briefs that are not to exceed three single-spaced pages.

In filing their Motion to Compel Discovery, counsel for Plaintiffs had focused on complying with the requirements of Local Rules 104.7 and 104.8, and overlooked the Court's May 6 Order. Undersigned counsel takes full responsibility for this oversight and apologizes to the Court for the error. Counsel for Plaintiffs seek the Court's guidance whether it prefers that Plaintiffs withdraw the now-fully briefed Motion to Compel Discovery and, instead, submit letter-briefs consistent with the Court's May 6 Order.

Plaintiffs wish to assure the Court that, going forward, they will present any future discovery disputes strictly in accordance with the Court's May 6 Order, or any further guidelines established by Magistrate Judge Aslan, whom the Court appointed yesterday to handle discovery matters (ECF No. 139) in this action.

Respectfully,

s/ Benjamin R. Barnett  
Benjamin R. Barnett  
*Co-Counsel for Plaintiffs and  
the Proposed Class and Subclasses*

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cc: **Via ECF**

Honorable Erin Aslan  
United States Magistrate Judge  
District of Maryland  
101 West Lombard Street  
Chambers 7B  
Baltimore, MD 21201

All Counsel of Record